

"in care of"  
Oasis Properties  
10618 Drexel  
Cleveland, Ohio 44108  
10/10/2022

IN THE UNITED STATES DISTRICT COURT OF OHIO  
Northern

Oasis Properties ) Case# CV-19-916327  
Plaintiff  
Vs. ) Demand For Trial By Jury  
Hannah Singerman ,  
Cuyahoga County ) Reserve The Right To Amend  
Recorder Michael  
Chambers,  
Judge Michael J. Russo,  
State of Ohio )

FILED

OCT 11 2022

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

JUDGE CALABRESE

1:22 CV 1830

**3.5- MILLION DOLLAR CIVIL COMPLAINT FOR CONSPIRACY TO  
COMMITT REAL ESTATE DEED FRAUD VIOLATION OF 18 USC  
SEC.241, AND 18 U.S.C CODE SEC. 242 DEPRIVATION OF RIGHTS  
UNDER COLOR OF LAW CONSPIRACY AGAINST RIGHTS, AND  
VIOLATIONS OF THE IRS CODE**

(The Principle part of everything is in the beginning)

**Comes Now, Oasis Properties, to files civil lawsuit for violation of  
Constitutional Rights pursuant to 18 U.S. C Sec 241, and Sec. 2414  
Conspiracy against Rights, Conspiracy to commit real estate deed  
fraud, deprivation of rights under color of law, and violation of the  
IRS Code.**

**1. Jurisdiction**

The Federal Court Has Jurisdiction For the following Reasons:

The Judiciary Act, though, Congress placed admiralty under the jurisdiction  
of the federal district courts.

This court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. 1331, which provides district courts with jurisdiction over civil actions arising under the United States Constitution or laws of the United States.

This court has personal jurisdiction over the defendant's corporations because the corporation's principal place of business is in this state.

Venue is proper pursuant to 28 U.S.C. 1391(b) because the events giving rise to the allegations in this complaint occurred in this district.

The state is guilty of real estate deed fraud which is verified by the day-to-day process of registering homeowners' property deeds in their office.

The state is in control of the plaintiff's property deed when there is no law that forced the plaintiff to register her property.

The state is paying the judge and providing a pension, 401-k, so other state court judges will have a conflict to hear this case in state court.

The State is the real party responsible for the illegal taxation on the plaintiff's property using state-licensed sub-agencies to do the dirty work.

The amount of damage is over what the state court has jurisdiction to rule on.

There is no other court available for remedy.

## 2. Factual Allegations:

1. The state employees registered the plaintiff's property in their office without disclosing there is no law that mandates the plaintiff must register her property in their office.
2. The plaintiff was not provided full disclosure about registering her property.
3. The plaintiff was not informed that registering her property would allow the defendants to file the first illegal mortgage lien against her property and extort property taxes.
4. The state law requires the property deed to be delivered to the new owner however the defendants violated the state law when they did their "constructive delivery" and registered the plaintiff's property in their office.

5. The illegal registration of the plaintiff property allowed the plaintiff's private property to be reclassified for the sole purpose of taxation.
6. The fact the alleged lender accepted the plaintiff's signature on the illegal mortgage lien proves the plaintiff already owned the property and is being scammed.
7. The property taxation system does not fall within constitutional guidelines set forth for all People of our community.
8. The current property tax collection system taxes is in violation of the constitution as the taxes are not "**apportioned** among the several states: [See Article I, Section 2, Clause 3 and Article 1, Section 9, Clause 4.]
9. These include taxes directly upon people or personal property. "...all duties, imposts, and excises [indirect taxes], shall be **uniform** throughout the United States". [See Article I, Section 8, Clause 1.]
10. The Constitution of the United States of America and Case law shows that capitation taxes and taxes on personal private property are in the category of direct taxes as being applied to Plaintiff's property.
11. The recorder of records office has a "good Faith" obligation to explain "full disclosure" and serve written notice in advance, of the legal incapacities and disabilities which were about to befall the plaintiff by recordation, See: U.C.C. 1-203, and 1-201 (25, 26,27).
12. The plaintiff's private property was re-classified, without permission, for the sole purpose of taxation.
13. Any other means of collecting property taxes outside of the constitution makes the tax collection void in law.
14. Plaintiff has the right to know why ~~he~~ <sup>she</sup> is being taxed, and to know that it is a legal taxation which represents their interests.
15. The unlawful collection of property taxes is not only immoral and unethical, but also criminal and a violation of the plaintiff's civil rights.

16. This illegal property tax process is a violation of the constitution and the plaintiff's due process, as there has been no court hearing, no judgment, no adjudication of all facts, and no consideration given for the actual laws regarding the tax in the first place.

17. All government officials and agencies, including all State legislatures, are bound by the Constitution and must NOT create any de facto laws which counter the Constitution.

18. There are only two kinds of taxes - direct and indirect. **Direct taxes are prohibited by the Constitution - not once but twice.**

19. Direct taxes are taxes on that which you already own, and there may be no direct taxes under any circumstances short of a state of war, and then only if the taxes are equally apportioned among the Union states.

20. The other type of tax is the indirect tax. Indirect taxes are taxes on a particular activity or taxes levied at the point of purchase. If you do not want to pay the tax, don't engage in the taxed activity, or don't purchase the taxed item.

21. The law (Constitution) says, "We the People" grant to government, permission to exist to regulate commerce with the State government corporation, providing within these restrictive terms, "nor shall private property be taken for public use (zoning, building permit, license, taxes, etc.) without just compensation." (Bill of Rights, Amendment Article V) "No person shall... nor shall any person... nor be deprived of life, liberty, or property, without due process of law.

22. Purchase, or condemnation for public use and compensation with just consideration of value therefore.

23. "This Constitution, and the laws of the United States which shall be made in pursuance thereof;... shall be the supreme law of the land; and the judges in every state shall be bound thereby... The Senators and Representatives and members of the State legislature, and all executive and judicial officers of the United States and the several States, shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

24. The Constitution of the United States of America, Article VI, Cl 2, 3. "The United States is entirely a creature of the Constitution. Its power and authority have no other source.

25. It can only act in accordance with all the limitations imposed by the Constitution." *Reid v Covert* 354 US 1, 1957.

26. "The general rule is that an unconstitutional statute, though having the form and name of law, is in reality no law, but is wholly void and ineffective for any purpose, since its unconstitutionality dates from the time of its enactment... In legal contemplation, it is as inoperative as if it had never been passed... Since an unconstitutional law is void, the general principles follow that it imposes no duties, confers no right, creates no office, bestows no power or authority on anyone, affords no protection and justifies no acts performed under it... A void act cannot be legally consistent with a valid one.

27. An unconstitutional law cannot operate to supersede any existing law.

28. Indeed insofar as a statute runs counter to the fundamental law of the land, (the Constitution JTM) it is superseded thereby.

29. No one is bound to obey an unconstitutional law and no courts are bound to enforce it." *Bonnett v. Vallier*, 116 N.W. 885, 136 Wis. 193 (1908); *NORTON v. SHELBY COUNTY*, 118 U.S. 425 (1886). See also *Bonnett v Vallier*, 136 Wis 193, 200; 116 NW 885, 887 (1908); *State ex rel Ballard v Goodland*, 159 Wis 393, 395; 150 NW 488, 489 (1915); *State ex rel Kleist v Donald*, 164 Wis 545, 552-553; 160 NW 1067, 1070 (1917); *State ex rel Martin v Zimmerman*, 233 Wis 16, 21; 288 NW 454, 457 (1939); *State ex rel Commissioners of Public Lands v Anderson*, 56 Wis 2d 666, 672; 203 NW2d 84, 87 (1973); and *Butzlaffer v Van Der Geest & Sons, Inc*, Wis, 115 Wis 2d 539; 340 NW2d 742, 744-745 (1983).

30. "Thus, the particular phraseology of the constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the Constitution is void;" and the courts, as well as other departments, are bound by that instrument." *Marbury v Madison*, 5 US 1803 (2 Cranch) 137, 170?180, and *NORTON v. SHELBY COUNTY*, 118 U.S. 425.

31. "When an act of the legislature is repugnant or contrary to the constitution, it is, ipso facto, void." 2 Pet. R. 522; 12 Wheat. 270; 3 Dall. 286; 4 Dall. 18.

32. "[p]owers not granted (to any government) are prohibited." United States v. Butler, 297 U.S. 1, 68 (1936).

34. "Insofar as a statute runs counter to the fundamental law of the land, (constitution) it is superseded thereby." (16 Am Jur 2d 177, Late Am Jur 2d. 256), "...all laws which are repugnant to the Constitution are null and void" (Marbury v Madison, 5 US 1803 (2 Cranch) 137, 174, 170).

35. "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." - Miranda v. Arizona, 384 U.S. 436, 491.

36. "The claim and exercise of a constitutional right cannot be converted into a crime." Miller v. U.S., 230 F 2d 486, 489.

37 "There can be no sanction or penalty imposed upon one because of this exercise of Constitutional rights."- Sherar v. Cullen, 481 F. 945.

38. To disregard Constitutional law, and to violate the same, creates a sure liability upon the one involved: *"State officers may be held personally liable for damages based upon actions taken in their official capacities."* *Hafer v. Melo, 502 U.S. 21 (1991).*

### 3. SCHEME TO DEFRAUD:

39. Plaintiff's real property was re-classified, without <sup>out</sup> ~~her~~ permission, for the sole purpose of taxation.

40. There is no law that requires Private Owners to Record their private property deeds, in the county recorder's office.

41. When the defendants placed the plaintiff's "document of title" in their records the attorney created a secret Constructive Quasi "Trust" on the presumption that their "State corporation" has **"AN interest in plaintiff's land,** and they now control plaintiff's property rights such as "possession" ect, and plaintiff has been forced to pay annual fee (tax) in "return" for benefit.

42. Some of the benefits of the illegal control over the plaintiff's property benefits are, the privileges of applying to the government corporation for "building permit" to regulate plaintiff's land use, and control of usage by zoning, land use plans, certificate of Occupancy's, and architectural approval committees, the compelled acceptance of government sewer, storm

damage control, and other government granted/compelled benefits and privilege of paying taxes to pay for them.

43. Plaintiff was damaged by this unlawful real estate deed fraud seizure of ~~his/her~~<sup>it's</sup> property when control of his property away stripped away and plaintiff had to request permission to enjoy ~~his/her~~<sup>it's</sup> property.

44. Plaintiff was also damaged when forced to make unlawful property tax payments for years or risk losing the property to the city for nonpayment of unlawful taxes.

45. The plaintiff's property was re-classified for the sole purpose of reclassification.

Plaintiff's rights are such as existed by the law of the land long antecedent to the organization of the state and can only be taken from him by due process of law, and in accordance with the Constitution.

46. The registration of the property deed allowed the defendants to file the first illegal mortgage lien against the property.

47. Property taxation does not fall within constitutional guidelines set forth for all People of our community.

48. The normal process in which the county recorders operate will verify the illegal operation of re-classification of property for the sole purpose of unlawful taxation.

49. There is no law requiring a real property owner to record ~~his/her~~<sup>it's</sup> property with the County Recorder.

#### 4. PRIVATE PROPERTY COMMERCIAL RE-CLASSIFICATION

50. Plaintiff's property tax is based on a commercial classification which has been assigned to ~~his/her~~<sup>it's</sup> real property.

51. Plaintiff's property was wrongfully re- classified as agricultural, industrial, or residential.

52. Each of these are commercial in nature (the legal definition of "resident" is a class of government official; residential is a house in which a government official lives).

Plaintiff's recorded property is unlawfully being used to collateralize government loans, and has a public debt attached to it.

53. Plaintiff's real property has been re-classified, without ~~his~~ <sup>Oasis Properties</sup> permission, for the sole purpose of taxation. This is the firm basis for the lawsuit.

#### 5. ELEMENTS FOR COMMON LAW:

Controversy (The listed defendants)

Specific Claim (Violation of the Constitution, 18 u.s.c. 241, sec. 2414, R.I.C.O. and the IRS Code)

Specific Remedy Sought by Claimant (~~the~~ <sup>Oasis Property</sup> Deed removed from the recorder's office,

5.5 million dollars damages, the debt attached to the property to be discharged.

Claim is Sworn to By (Affidavit of Verification attached), and I will verify in open court that all herein be true.

#### 6. ELEMENTS FOR CONSPIRACY:

The elements of conspiracy, which are: (1) a mutual agreement or understanding, (2) knowingly entered by the defendant, with (3) an intent to jointly commit a crime.

#### 7. ELEMENTS FOR REAL ESTATE DEED FRAUD:

The elements for real estate deed fraud are: (1) a misrepresentation (such as a false representation, concealment or non-disclosure), (2) knowledge of falsity (called 'scienter' in legalese), (3) intent to defraud or induce reliance, (4) justifiable reliance, and (5) resulting damage.

#### 8. ELEMENTS FOR DEPRIVATION OF RIGHTS UNDER 241

The elements for deprivation of rights are when two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same.



## 9. ELEMENTS FOR VIOLATING THE IRS CODE

The elements for violating the IRS code are an affirmative act constituting an attempt to evade or defeat a tax or the payment thereof, an additional tax due and owing, and willfulness.

## 10. PARTIES

- a. Oasis Properties operates in Cuyahoga County, Ohio
- b. The First Defendant is Hannah Singerman
- c. Second Defendant is Michael Chambers
- d. Third Defendant is Judge Michael J. Russo
- e. Fourth Defendant State of Ohio

COUNT ONE: Violation of 18 USC Sec 241 and 242:

- 1. Plaintiff incorporates by reference the facts alleged in paragraphs 1-53
- 2. The defendants negligence was the direct and proximate result of plaintiff's injuries.

COUNT TWO :Violation of Real Estate Deed:

- 1. Plaintiff incorporates by reference the facts alleged in paragraphs 1-53
- 2. The defendants had a duty to follow the state property transfer law and the constitution.

COUNT THREE: Conspiracy to Commit Real Estate Deed Fraud:

- 1. Plaintiffs incorporates by reference the facts alleged in paragraph 1-53.
- 2. The state every day procedure is in violation of the state statutes and defendants are committing real estate deed fraud during their day to day process.

**COUNT FOUR:**

Violation of the IRS code:

3. Plaintiff incorporates by reference the facts alleged in paragraphs 1-53.

The state and the defendants have an illegal Rico scheme as the alleged loan was generated by the plaintiff's signature and the defendants did not pay taxes on the scheme. The defendants did not file their asset allegation statement under section 338, and therefore accrue civil liability for fraudulent securities transactions

**COUNT FIVE:**

Infliction of emotional stress:

4. Plaintiff incorporates by reference the facts alleged in paragraphs 1-53

The entire mortgage scheme was designed to beat down the plaintiff with all the agencies licensed by the state. The judge has a conflict of interest as he is paid by the corporation stealing the plaintiff's property.

**Slander of Title:**

The defendants have caused to be recorded various documents including an unlawful foreclosure which constitutes slander of title, and the plaintiff should be awarded resulting damages to be fully proved at the time of trial.

**Slander of Credit:**

The plaintiff allege that the actions and inactions of the defendants have impaired their credit causing them to lose the ability to have good credit entitling them to damages, including statutory punitive damages pursuant to state and federal law, all to be proved at the time of trial.

**Infliction of Emotional Distress:**

The defendants have intentionally and negligently taken illegal actions which have caused the plaintiff's severe emotional distress.

The attack on the Plaintiff's home using a statute that is not valid is fraud on the court.

The fact part of the original agreement is missing from the contract filed in the State foreclosure case is a clear showing of illegal intent to cause distress.

### **REQUEST FOR DAMAGES**

Plaintiff request compensatory and general damages for expenses, for legal expenses, medical bills, mental anguish associated with living with the consequences of the defendant's negligence, loss of income damaged credit score, embarrassment from having Plaintiff's house listed on Zillow and other Real Estate foreclosure websites before while case is in litigation. The plaintiff request punitive damages in what the jury finds just and fair. Plaintiff prays that this court enter judgment for the Plaintiff and against each of the Defendants, and grant:

- a. compensatory and consequential damages, including damages for emotional distress, humiliation, and other pain and suffering on all claims allowed by law in an amount in 3-Million Dollars
- b. any further relief that this court deems just and proper, and any other appropriate relief at law.

**WHEREFORE, Plaintiff Oasis Properties request the following**

- a. That the court enter a judgment in favor of Oasis Properties and against the defendants on all counts of the Complaint
- b. That the court award compensatory damages into Plaintiff and against the defendants jointly and severally, in an amount to be determined at trial.
- c. That the court award punitive damages to Plaintiff, and against the defendants jointly and severally, in an amount to be determined at trial in order that such award will deter similar proscribed conduct by the defendants in the future.
- d. That the court award Plaintiff, and against defendants prejudgment and post judgment interest on all sums awarded in this action, and including reasonable legal fees, pursuant to 42 U.S.C. Sec. 1988: and
- e. That the court grant Plaintiff such other equitable relief that the court deems appropriate.

**DEMAND FOR A TRIAL BY JURY**

Comes Now, the Plaintiff, and hereby demands Jury Trial on all issues so triable to a jury.

Frances Caldwell 10/10/2022

Frances Caldwell member  
of Oasis Properties

Without Prejudice UCC 1-308

## OASIS PROPERTIES & INVESTMENT, LLC

### OPERATING AGREEMENT

This Operating Agreement of **OASIS PROPERTIES & INVESTMENT, LLC**, a limited liability company organized pursuant to Ohio Revised Code Chapter 1705, entered into at Cleveland, Ohio, as of January 5, 2009 by and between Robert Caldwell ("Manager/Member"), Frances Caldwell ("Manager/Member"), Ramon Caldwell ("Manager/Member"), Jamel Caldwell ("Manager/Member"), Rashad Caldwell ("Manager/Member") & Amir Caldwell ("Manager/Member") is as follows:

**1. DEFINITIONS.** The following definitions, when used with an initial capital letter or letters, shall apply throughout this Agreement:

1.1 "Act" means Ohio Revised Code Chapter 1705, as amended from time to time.

1.2 "Capital Account" means an account to be maintained for each Member which complies with the requirements of Section 1.704-1 (b)(2)(iv) of the regulations under the Code, and which, as of any date, shall be an amount equal to the sum of the following:

1.2.1 The aggregate amount of cash and the agreed value of any property other than cash contributed to the capital of the Company by such Member, plus the aggregate amount of Net Profit allocated to such Member; minus

1.2.2 The aggregate amount of Net Loss allocated to such Member and the aggregate amount of cash and the agreed value of all other property distributed to such Member by the Company.

1.3 "Code" means the Internal Revenue Code of 1986, as amended, the applicable Treasury Regulations there under, and any comparable laws and regulations, enacted or promulgated in place thereof.

1.4 "Distributable Cash," as of any date, means all cash from all sources held by the Company as of such date less any amounts reasonably deemed necessary by the management Committee to be reserved for normal working capital requirements, contingent liabilities, and such other purposes as the Management Committee determines to be necessary or advisable for the conduct of the Company's business.

1.5 "Net Profit" or "Net Loss" means, for each fiscal year of the Company, the Company's taxable income or loss for such fiscal year, as determined under Section 703(a) of the Code, with the following adjustments:

CERTIFICATE OF SERVICE

Plaintiff does hereby affirm that the enclosed Complaint was forwarded by certified mail and hand delivered to Hannah Singerman, Michael Chambers, Judge Michael J. Russo and certified mailed Ohio Attorney General Office. *on 10/11/2022*

Submitted by,



Frances Caldwell Member of Oasis Properties  
& Investment LLC  
10618 Drexel Ave.  
Cleveland, Ohio 44108  
216-374-2899